

REMARKS

The present amendment is submitted as response to a final office action dated July 12, 2007. The application now consists of claims 1-4 and 6-8, claims 9-15 are withdrawn. Claim 1 was amended to define a system for diagnosing a gastrointestinal tract. Claims 2-4 and 6-8 depend on claim 1 and are amended to match the language of their parent claim.

Claim 1 stands objected to because of informalities. The Examiner states that if the probe is encapsulated, then the probe cannot have detectors around the shell that encapsulates it. Applicants have amended the wording so that it is clear that the detectors are arranged around the probe.

Claim 6 stands objected to because of informalities. Applicants have made cosmetic changes in order to overcome the objection.

Claims 1-4, 6 and 7 stand rejected under 35 USC 103(a) as being unpatentable over Hassan in view of Barrett (US 4,595,014) and in further view of Glukhovsky (US 6,584,348). Claim 1 is the only pending independent claim in the application.

While applicant disagrees with the Examiner's rejection, in order to further allowance of the application, applicants have amended claim 1 in order to further distinguish the claims over the prior art of record.

Applicants have added the following limitation to claim 1: "*circuitry comprising at least one sensor adapted to determine the location of the ingestible device in the gastrointestinal tract and the circuitry is further adapted to reconstruct the diagnostic image based on said location.*" Support for the amendment can be found at least on p. 43, line 21 to page 44, line 29 of the specification as filed. Applicants submit that this limitation is not taught or suggested by Hassan, Barrett or Glukhovsky.

Hassan does not teach finding the location of the radiation pill. In fact, Hassan admits on p. 307 in the conclusion section that "...the problems of sensitivity of gut bleeding and localisation of bleeding site are still to be determined."

Barrett describes measuring the extent of the insertion of the probe into the body on col. 3, lines 30-50. For this purpose Barrett is using the metering device 55 or the mouthpiece 15. Device 55 or mouthpiece 15 do not meet the limitation of "*circuitry comprising at least one sensor adapted to determine the location of the ingestible device in the gastrointestinal tract and the circuitry is further adapted to reconstruct the diagnostic image based on said location.*" As required by claim 1.

Glukhovsky teaches determining the location of the capsule in the digestive tract by a telemetric system, see col. 5, lines 17-19. However, Glukhovsky does not teach or suggest "*reconstruct the diagnostic image based on said location*" as required by claim 1.

Thus, none of the prior art of record shows a system for diagnosing a gastrointestinal tract comprising "*circuitry comprising at least one sensor adapted to determine the location of the ingestible device in the gastrointestinal tract and the circuitry is further adapted to reconstruct the diagnostic image based on said location.*".

The dependent claims are patentable at least by virtue of their parent claims.

Claim 8 stands rejected under 35 USC 103(a) as being unpatentable over Hassan in view of Barrett, further in view of Glukhovsky, further in view of Zhang (Society of Nuclear Medicine, June 2000).

Claim 8 depends on claim 1. Applicants disagree with the Examiner, however, the rejection is moot in view of the amendment to claim 1.

Hassan, Barrett and Glukhovsky are referred to above. Zhang does also not teach a system for diagnosing a gastrointestinal tract comprising "circuitry comprising at least one sensor adapted to determine the location of the ingestible device in the gastrointestinal tract and the circuitry is further adapted to reconstruct the diagnostic image based on said location." as required by claim 1.

In fact, Zhang does not teach an ingestible device. The imaging probe of Zhang is used in conjunction with CZT cameras located below and above the body (No. 68, Col. 1).

In view of the above remarks, applicant submits that the claims are patentable over the prior art. Allowance of the application is respectfully awaited.

Respectfully submitted,



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Enclosures:

- Petition for Extension of Time (One Month)
- Request for Continued Examination (RCE)